

STATE OF ILLINOIS
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HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

55th Legislative Day

May 10, 2001

Speaker Hartke: "The House shall come to order. Members will please be in their chairs. We shall be led in prayer today by Pastor C. L. Fairchild, of the Greater Faith Baptist Church in Waukegan. Pastor Fairchild is the guest of Representative Osmond. Our guests in the gallery may wish to rise and join us for the invocation and stay standing for the Pledge of Allegiance. Reverend Fairchild."

Pastor Fairchild: "Let us pray. Eternal God our Father, Thou who rules and super ruled our world. Thou who looked out in space one day and caused worlds to twirl and every planet in space took its rightful place. Thou who rolled the terrestrial ball into space, baptized it with the liquid mist and ordered a variety of blooming flowers, and transfigured it into a marvelous attraction. Now, Oh God, we come today with thanksgiving and praise. Lord, times are difficult now. We're living in times where civilization is torn by degradation and it flirts with doom and disaster. High-mindedness runs our streets like a mad dog and beats in uncertain paths. Selfishness has evaporated the milk of human kindness while pain and panic chase each other like June bugs in the summer sun. Here we are, Oh God, in a mean world, violence and upheavals, joy and sorrow. Those who listen to my voice, some are downtrodden but today we come, Oh Lord, on behalf of these people of decision. We pray, Oh God, for our country, our state, our cities, every town, every village, from Zion to Cairo. Bless this prairie land. Bless this legislative Body with wisdom, knowledge, and understanding. Bless them with unity, and harmony, and love, both Democrat and Republican. Guide them to make the right decisions for all people. Bless their families. Bless their homes. Give each of them peace of mind. Allow them to be leaders that

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all people can be proud of. Touch each heart so they may love right. Touch each mind so they may think right. We place our business in Your abiding hands, in Your blessed hands, in Your confident hands, and in Your delivering hands. In the name of He who rules and super rules, guides and directs us all, we pray. Amen."

Speaker Hartke: "We will be led in the Pledge this morning by Representative Pankau."

Pankau - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Hartke: "Roll Call for Attendance. Representative Currie, a report on the Democrat side."

Currie: "Thank you, Speaker. Please let the record show that the only House Democrat excused today is Representative Ricca Slone."

Speaker Hartke: "Representative Poe, the Republican side."

Poe: "Mr. Speaker, let the record show that Representative Sommer and Representative Stephens are excused today."

Speaker Hartke: "Thank you. Take the record. 114 Members answering the call, there is a quorum present and the House is ready to do business. Page 6 of the Calendar, on Senate Bills-Third Reading appears Senate Bill 3. Representative Dart. Out of the record. Senate Bill 5, Representative O'Connor. Out of the record. Senate Bill 15, Representative Dart. Out of the record. Senate Bill 20, Representative Coulson. Out of the record. Senate Bill 31, Representative Daniels. Out of the record. Representative Moffitt. Mr. Clerk, read the Bill. Senate Bill 31."

Clerk Rossi: "Senate Bill 31, a Bill for an Act concerning

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sanitary districts. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 31 is permissive legislation and just impacts a few sanitary districts. The last count I had was probably six sanitary districts in the state. As I said, it's permissive. It would allow them to increase the salary cap for their trustees. It has not been increased since 1977, so it's over 23 years. This is not even a cost-of-living allowance. It's below cost of living. These are the folks that actually, in these small districts, these are the ones, under 10 thousand, they actually do the work. And this allows them to not have to hire professional managers. I don't think there's any opposition to this. Appreciate a 'yes' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 31?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. All voted who wish? Have all voted who wish? There's still 2 people not voting. All voted who wish? Mr. Clerk, take the record. On Senate Bill 31, there are 66 Members voting 'yes', 43 Members voting 'no', 3 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Myers, for what reason do you seek recognition? Thank you. Senate Bill 52, Representative McCarthy. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 52, a Bill for an Act concerning taxation. Third Reading of this Senate Bill."

Speaker Hartke: "Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 52 is identical to House Bill 58 which

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we passed out unanimously a couple months back. This is the Bill that we've actually passed out of the House, I think, two or three times in my tenure here. It, basically, extends the deduction for military pay to include the inactive service as well as active service. Today, if you're in the National Guard or the Reserve you are able to deduct your pay for the two weeks of active service, but you are not allowed to do it for the inactive service, the monthly details, the two days a month. I think this is a recognition of the great service that these gentlemen and ladies provide for us. The Reserve and National Guard are becoming a much more significant part of our national defense, and I think this is a little something we can do on behalf of the State of Illinois to say, we honor your service. And I'd appreciate your votes. There was a question in Revenue Committee from Representative Pankau, and the Economic and Fiscal Commission has revised their cost estimates down to 2.5 million. There was some mix-up and they were in the neighborhood of 48 or something, so it is a much more reduced cost. So, would appreciate your 'ayes'. And if you have any questions, I'd be happy to answer 'em."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Kosel, the Lady from Willl."

Kosel: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Kosel: "Thank you. I want to compliment the Sponsor, both on the House side and the Senate side, for doing something that will enhance the ability of the military here in the State of Illinois to compensate their employees and the people who serve us. I think this is a wonderful effort, something that is relatively inexpensive on the long term,

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and something that desperately needs to be done. I really urge your 'aye' vote. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 52?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? All voted who wish? Mr. Clerk, take the record. On Senate Bill 52, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 64, Representative Hoffman. Mr. Hoffman, would you like to hear the Bill? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 64, a Bill for an Act in relation to vehicles. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 64 would, essentially, provide needed funding to the Trauma Center Funds here in the State of Illinois. What it indicates is that there would be an increased fine on DUI's of a hundred dollars that would go directly to the Trauma Center Fund. This money, then, would be disbursed in... half of it would be disbursed in the trauma region in which it is collected, and the other half would go through the Medicaid budget and be doubled through provisions we put on with the House Amendment, and it'll be doubled with the Federal Government's help. I would just ask for an 'aye' vote. As you know, these Trauma Center Funds and the trauma centers are extremely important and they are very underfunded and the state does not adequately reimburse them. This would be a way to say, that if you are the person that's causing the problems, in

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other words, if you are the problem driver on the road causing these traumas, that you would actually help fund for treatment."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass... Representative Wirsing, would you like to comment on this Bill?'"

Wirsing: "Yeah. Thank you, Mr. Speaker. I've got a question of the Sponsor."

Speaker Hartke: "Proceed."

Wirsing: "Representative, I'm reading the analysis here and I'm... you know, we were involved in adding the hundred dollars for the law enforcement. That fund... Clarify that this doesn't mess that up or make any changes in it."

Hoffman: "This would not... The intent of this is not to affect that at all. This is separate and apart from any other fines or fees that are levied on DUIs or other offenses."

Wirsing: "Okay. Thank you."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 64?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. ...voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 64, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 98, Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 98, a Bill for an Act in relation to vehicles. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. Senate Bill 98 only indicates that if you have a person in your car and he is between four years and 16 year olds, they shall be wearing a seat belt or another safety device."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Representative, what do you do in a case where you drive an automobile, and there are several on the road, they don't have seat belts? There are enough older cars and pick up trucks on the road, particularly downstate, that do not have seat belts. Are they exempt under some kind of grandfather clause, or do they have to go into an after-market store and have seat belts installed?"

Hoffman: "That's a good question and I'm trying to think back. I wasn't in the General Assembly when you guys passed the initial seat belt requirement legislation. However, I believe, at that time, Representative, and I don't have that portion of the Bill in front of me, there may have been... and I apologize for giving you an incomplete answer, there may have been some type of a grandfather clause in that initial legislation, for cars that were made before a certain time, but I'm not sure. I think that grandfather clause that was passed at that time would still apply. Other than that, this... all this Bill does is, currently... under current law, it indicates that every person, when transporting a child four years of age or older but under the age of six, must have a seat belt or child restraint system, that would mean in the backseat. All we're doing is changing from 6 to 16 the requirement

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that they have to have a seat belt."

Black: "I don't see any reference in the Bill as to... If my 15-year-old son is working on my uncle's farm this summer and they're driving out to the bean field or the hog lot and he is in the back of the pick up truck where there are no seat belts, obviously, in any pick up truck I'm familiar with, even those that are manufactured yesterday, how does this Bill mesh with that?"

Hoffman: "I don't think it would... I think there has been Bills around here that would make that activity illegal. I think I probably oppose, generally, those Bills. This doesn't affect that or is not intended to affect that."

Black: "Even in relatively new pick up trucks, it's possible if you have a 14- or a 15-year-old, you can get three people in a pick up truck, the driver, the right seat passenger, and you could, conceivably, squeeze a smaller child, 14 or 15 years old or 12, whatever, into the middle of that pick up truck, and up until the last 6 or 7 years there were only two seat belts in pick up trucks, the driver, and the passenger. So, what do you do in a case like that? You put the child in the passenger seat, move the adult to the middle where there is no seat belt? I mean, how would that scenario work?"

Hoffman: "I think, under that scenario, current law would apply because it's my understanding that any passenger in the front seat, under current law, has to have a seat belt. So, I don't think this change would affect that."

Black: "And I don't... Jay, I don't quarrel with the intent of the Bill, but I've been around here long enough to know that what we pass often isn't what the law becomes because of the administrative rulemaking process. Now, I'm not about to get myself in a situation where a farmer's child

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is being transported in the back of a pick up truck to do his chores on the farm and because of a foolish way that the administrative rule may be written to flesh out this law that may very well be found to be no longer possible. And if everybody in the front seat of a pick up truck is to be belted, it's only been in the last 10 years, I would say, that there has been a seat belt in what, traditionally, has not been a seat in a pick up, that would be the middle seat. I mean, we've all been there. We've all ridden in pick up trucks. In fact, I did last night, and the middle of the seat does not have a seat belt, and there were three people in the cab. So, I don't know. Without knowing more about how the grandfather clause would work, if you had an older car that has the seat belts in the front and for years and years older cars only had a passenger side and a driver's side seat belt, but no seat belts in the back. And I just... I'm very leery of the administrative rule process that may say, well that's your tough luck, you'll have to go to an after-market store and you'll have to get seat belts installed. And that is not cheap. I don't quarrel with the intent of the Bill, but I've been around here long enough to know that if you leave a loophole in the law, the people who write the administrative rules will close that loophole in ways that you and I... then hear later from our constituents that it just doesn't work or it was poorly thought out. So, I'm probably gonna be the only 'no' vote, but I'm not gonna vote for it because I think there's too many holes in this thing to go back into my rural district and say, well we didn't intend for it to be this, we didn't intend for that to happen. But you and I both know that the administrative rules sometimes do some pretty strange things to rather

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straightforward Bills that we pass."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Kane, Representative Schmitz."

Schmitz: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Schmitz: "Representative Hoffman, you know this is an issue that I've been dealing with in this Session, as well. I've got a couple of questions. In the Bill that I have here in my computer, it says it should be... the child shall be restrained in a seat belt or a child restraint system. Is the child restraint system defined somewhere or what we're talking about?"

Hoffman: "It's my understanding that the current statute defines a child restraint system. And that would... Under current law, that would be the same definition. We are not changing that definition."

Schmitz: "Do... What is it..."

Hoffman: "And it's either/or. So, as you know, when your Bill came up, my concern about your Bill was that you were requiring for a person or a child under a certain age or under a certain weight limit to still have a booster seat. What this does, is it simply says, that if you're 16 or under, you can have... It doesn't change current law with regard to our requirement's that if you're under the age of 4, I believe, that you have to wear or have a child safety seat. But what it does do, is it says, that if you are between the ages of 4 and 16, you must have either a seat or a seat belt."

Schmitz: "So that is the definition of what a child restraint system is. It could be a... that the infant carrier could be a booster seat. I don't have the definition in front of me and I probably..."

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Hoffman: "I found it."

Schmitz: "Okay."

Hoffman: "Let me tell you what current law says."

Schmitz: "Please."

Hoffman: "It says that, 'a child restraint system means any device which meets the standards of the United States Department of Transportation designed to restrain, seat, or position children.' So, essentially, we allowed the... We have, under our current law, allowed the United States Department of Transportation to determine what a child restraint system is. And that is... We didn't change that under this law."

Schmitz: "Okay. And my last question. Thank you for that answer. My last question is: We passed out of here a primary cause for stop for seat belts, not using them. If that Bill doesn't make it through the Senate process to the Governor's desk, does this expand the primary cause for stop?"

Hoffman: "No. Here's my understanding. It's my understanding, that current law says that... Or let me tell you... I think it's... It'd be easier for me just to explain. We have so many different Sections under the seat belt laws, the changes that we're making. The only thing that we're changing here, is currently, the current law says that every person when transporting a child 4 years of age or older, but under the age of 6, shall have a child restraint system or seat belt. We're only changing 6 to 16. So, we're expanding, who in the backseat would have to have a seat belt."

Schmitz: "So, it would..."

Hoffman: "So, if under current law that Section provides for the ability to have a primary stop, this would say that now if

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you are 15 years old and you're in the backseat without a seat belt, that could be cause for stop."

Schmitz: "And the age old question that we deal with is, how would we handle this on... The center seat, typically, in most vehicles is a lap belt. Would the officer just pull over and walk up, and take a look or..."

Hoffman: "Well, first of all, let me tell you, that if you're dealing with the front seat current law applies, okay? Current law already deals with front seat passengers. Current law says, that with regard to the backseat, if you're under 4 you have to have a child safety seat, if you're between 4 and 6 you have to have either a child safety seat or a seat belt. That's current law, with regard to the backseat. All this does is changes from 6 to 16. So, the practical fact is only requiring a seat belt in the backseat if you're under 16. So, if there's a lap belt, and you're sitting in the middle, that would be sufficient, under this proposal."

Schmitz: "Okay. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Schmitz: "I want to commend Representative Hoffman for carrying this issue. I know we had some long discussions on a Bill I previously sponsored and we did finally pass it over to the Senate. As many of you know, Illinois has received a failing grade on child restraint systems here; we got an 'F' ranked in all the 50 states. So, I want to thank Representative Hoffman for working on this issue, carrying this Bill from the Senate. And I urge every Member in this chamber for an 'aye' vote. Thank you."

Speaker Hartke: "Further discussion? Representative Hoffman to close. Representative Hoffman."

Hoffman: "I would like to briefly take this Bill out of the

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record, please."

Speaker Hartke: "Take this Bill out of the record. Page 6, on Senate Bills-Third Reading appears Senate Bill 15. Representative Dart. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 15, a Bill for an Act concerning taxation. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker and Members of the House. Senate Bill 15 would grant a property tax assessment reduction and freeze to the Moose Lodges, the Elks, and the Knights of Columbus. Numerous people had come to me, over the course of the last couple of years, having seen the Masons and other groups get similar provisions. This would put them on an equal footing. They're having lodges closed throughout the state. And this is something we can do to keep these charitable organizations going. And I'd appreciate your support."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Parke. Shh, Ladies and Gentlemen, please."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, please share with me, one more time. Is this a property tax break..."

Dart: "Yes."

Parke: "... similar to what we gave some other fraternal or non for profits?"

Dart: "Absolutely. And I think, Representative, but we did it, I think, one year or two years ago. And this would put them on the same level with them. They were concerned that they weren't included. And they had the same problems these other groups do."

Parke: "So, this is just to make them on the same footing as the

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other organizations?"

Dart: "Yes. It was actually in the Gov... It was interesting. In the Governor's Message when he signed the Bill for the Masons, and I think one other group, he actually suggested that we bring in these other groups and that there was no logical reason that we didn't."

Parke: "Now, is there any real concern expressed by the Northwest... well, by the Illinois Municipal League, on this? Were there... Did they put slips in against it?"

Dart: "I believe they did."

Parke: "And was it just because they felt that they would lose a little bit too much property tax revenue to their cities?"

Dart: "Yes, that was the case. And my contention to them was, is you won't have any left anyways 'cause these lodges are closing so fast that you won't be getting anything from 'em."

Parke: "All right. And were they the only ones that were in objection?"

Dart: "I believe some of the education groups were, too, for the same reasons."

Parke: "Oh yeah, that's right, because they would lose tax revenue."

Dart: "Yeah."

Parke: "Well, to the Bill."

Speaker Hartke: "To the Bill."

Parke: "Ladies and Gentlemen, I am going to rise in support of this legislation. One of the underlying strengths of every community is organizations that band together for a common good. I think this is a matter of fairness. And I think that we will not find many of these organizations... Matter of fact, I know that we are losing organizations like this because they cannot afford to stay open because of the

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increasing costs of staying open and dwindling membership. So, I'm gonna vote for this legislation because I think it should be something that we ought to be doing, as a state, to enhance the quality of life of our citizens, and I believe these kinds of organizations are an intricate part of that quality of life. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Dart to close."

Dart: "Mr. Speaker, I'd appreciate a favorable vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 15?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 15, there are 113 Members voting 'yes', 0 voting 'no', and 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 115, Representative Lyons. Eileen Lyons. Out of the record. Senate Bill 153, Representative Granberg. Representative Granberg. Out of the record. Senate Bill 162, Representative Wait. Representative Wait. Out of the record. Senate Bill 163, Representative Moore. Out of the record. Senate Bill 213, Representative Mautino. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 213, a Bill for an Act concerning agriculture. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 213 was introduced in response to the recent outbreak in Europe of BSE, that's commonly known as mad cow disease. This Bill, and it is now amended, and it carries no fiscal impact to the Department. But,

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basically, it increases the number of inspections throughout the mills and the processing plants where the potential for this, the BSE, to enter the food chain here in the United States and the State of Illinois would be probably most prevalent. And it just... We have had no outbreaks here, but it's a safeguard. And I would appreciate an 'aye' vote."

Speaker Hartke "The Chair recognizes Representative Lawfer."

Lawfer: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Lawfer: "Representative, I had a little trouble hearing all of this. But you were talking about preventing what disease, then, in this regard?"

Mautino: "Excuse me. Would you repeat the question, please?"

Lawfer: "In regard... This legislation is in response to what disease in livestock?"

Mautino: "BSE, otherwise known as mad cow disease."

Lawfer: "This has nothing then do with the foot and mouth disease? Those are two different and two distinctive types of diseases. Is that correct?"

Mautino: "Two different diseases."

Lawfer: "Will this add... How much cost will this add to the Department of Agriculture?"

Mautino: "There's a fiscal note that's been filed on it. As amended with Amendment #3, there is no cost and the Department feels that they can do these inspections. We're talking about 46 to 48 different plants throughout the state going from once a year to twice a year on inspections. There's no additional fiscal cost. And the Department supports the Bill."

Lawfer: "Will this in any way affect farmers that mix feed on their farm?"

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Mautino: "Would you please repeat the question, and ask if your staff would move to the other side, so that I can see over here?"

Lawfer: "The... Will this in any way affect farmers that mix feed, you know, for their own operation?"

Mautino: "No, it will not. This only affects the facilities that are currently required to be licensed."

Lawfer: "So, we don't change any of the facilities that... There won't be additional facilities brought under inspection that are now not currently under inspection. Is that correct?"

Mautino: "There'll be no additional facilities brought under this Section that are not currently required to be inspected now. We're just increasing the number of times we will inspect those facilities."

Lawfer: "I think that any safeguards that we can to protect any type of disease are good and I plan on supporting the Bill. Thank you very much for your time."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, Representative Mautino to close."

Mautino: "Thank you, Mr. Speaker. And I would simply ask for an 'aye' vote from the Members. This is an issue which is very important to all the people of the State of Illinois. And it's a safeguard that we need, given the recent outbreaks in Europe. And we want to just make sure that we make or retain a very safe and high quality food chain."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 213?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 213, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And

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this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 265, Representative Hoffman. Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 265, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Yes, an inquiry of the Chair. Has Amendment #2 been adopted?"

Speaker Hartke: "Yes. According to the Calendar, Floor Amendment #2 has been adopted."

Hoffman: "Thank you. Senate Bill 265 essentially would remove... there's two things: first of all, it would remove the issue of voluntary drug condition or voluntary intoxicated condition as an affirmative defense. We're saying that these are voluntary conditions and you should not be precluded from being convicted on a heinous crime that you commit by saying that you were intoxicated. Secondly, Amendment #1 and Amendment #2 would create a new offense pertaining to the presence of a person who is under 13 during the illegal delivery of a controlled, counterfeit, or look-alike substance. On the new offense, a person 13 years of age... or a person 18 years of age or older who violates the Illinois Controlled Substances Act and who during the commission of the offense knowingly causes a person under the age of 13 to witness the commission of the offense, would be guilty of a Class I felony."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 265?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Mr Clerk, take the record. On Senate Bill 265, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 298, Representative Granberg. Representative Granberg. Out of the record. Senate Bill 329, Mr. Dart. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 329, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker and Members of the House. This Bill is an attempt to make it more workable for local school districts to meet their teacher shortages. I think we've all heard numerous stories about the problems we're gonna be facing in the near future, and we're also facing it now, with a shortage of teachers. This is an attempt to expand on a concept that is already in existence now with teacher certification. And this is something I don't know of any opposition to. And it's an attempt to deal with our teacher shortage. And I'd appreciate a favorable vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 329?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 329, there are 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I wonder if I could have the attention of the Members of the

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General Assembly."

Speaker Hartke: "Shh. Please, would you give your attention to Representative Daniels."

Daniels: "I rise on a order of personal privilege. Candidly, Mr. Speaker, on two points, if I might, with your indulgence."

Speaker Hartke: "You may."

Daniels: "The first is, I have been asked by the Governor to come to the floor and to announce that Boeing Airlines has recently, officially, called him and announced that Chicago, Illinois is the site for the location of Boeing. The Governor recently received the call and has asked that the Speaker and I announce to all of you and to the rest of the State of Illinois how proud he is not only of the state as a whole but also the Members of the General Assembly, both the House and Senate, on both sides of the aisle, the Speaker, the President of the Senate, and Minority Leader of the Senate, and all of us for the work that we have done in securing Boeing for the State of Illinois. They are a number one exporter, in the United States today, of products and Illinois, now, is the proud recipient of the number one and two exporters in the United States of America. So, once again, we have shown a State of Illinois in its shining light and what a great opportunity it is for us to continue to show the people of the United States of America, and for that matter the world, what an outstanding state Illinois is. So, on behalf of the Governor, let me congratulate all the residents and constituents of Illinois, and particularly, the Members of the General Assembly. So, thank you, Mr. Speaker, for that point. On a second point of personal privilege, with your indulgence, Sir, if I might?"

Speaker Hartke: "You may."

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Daniels: "Once a year my oldest child, and I must say a shining light in my life, comes to visit with me in Springfield, and what an auspicious occasion when we have the great celebration of announcing Boeing, and of course to me, and more important than that, is the ability of once again to welcome my daughter, Laurie, who throughout her lifetime, has struggled with cerebral palsy and the inability to walk, but has turned so many of the difficulties that she has faced in life. Laurie suffered brain damage shortly after birth and is now 36 years old. She lives in a CILA, that's a community integrated living arrangements, which all of you in the General Assembly have provided for many residents in the disabled community a greater opportunity for life. This gives her an opportunity of independence. She lives with three other young ladies in Orland Park, Representative McCarthy's district. Kevin, I think you need to work on her vote. She lives in Orland Park, on Orland Drive (sic-Orlin St.), and is a proud member of that community with three other young women. And they have 24-hour nursing care which helps them meet their individual needs. As she does perform, not only for herself, personally, but then every day Monday through Friday she goes to work at the Elim Christian Workshop where she performs her services and is paid. I think, Laurie, you get a lot of money for that, don't you? Yeah, she says a lot of money. And... But, the most important thing for all of you to know is that when Laurie is working and they have enough work that's the happiest time for all of her colleagues and others in the Elim Christian Services, when work is slow or not available, those are the toughest times. And once again, it tells you how important it is for those of us that are in a position to help continue to

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do what we can to help people that rely on government's assistance whether it's in supported employment or living arrangements or the others to allow people to achieve the maximum of their ability. I will tell you this, and I want to thank all of you in this Assembly and your predecessors for the work you're doing on behalf of the disabled community in Illinois because when you furnish these services for them, you're giving them the opportunity to achieve independence. I'm now gonna introduce you, Mr. Speaker, with your permission, to my daughter, Laurie. But Laurie represents those individuals in Illinois that are achieving their maximum potential, that are contributing members of society that are working day in and day out meeting the struggles that they are facing but doing so with dignity and grace and meeting those efforts. Let me close on my part, to thank those people at Bethshan, led by Joe Lanagha, who's here today once again, Laurie's colleagues who are on the back if you would pay just an honor to them. And, of course, at this point, with your permission to introduce you, once again, to my daughter, Laurie Daniels."

Laurie Daniels: "I want to tell you thank you for letting us come. And thank you for your help. You do really good job for the state. And thank you for letting us come every year, and my dad, too. And we want to thank you."

Speaker Hartke: "Thank you, Mr. Daniels. On page 6 of the Calendar, on Senate Bills-Third Reading appears Senate Bill 333. Representative Mautino. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 333, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Mautino."

Mautino: "Thank you. I simply ask for the House's support of

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Senate Bill 333. This is identical to a measure which was passed from this chamber. It deals with the expirations and how we handle those in the State of Illinois in making sure that there is confidentiality and rights-of-ownership that extends to those agents. As amended by #3, it took care of some concerns that the Financial Institutions had. And with that, be happy to answer any questions. Ask for an 'aye' vote."

Speaker Hartke: "Is there any discussion on Senate Bill 333. The Chair recognizes Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Mulligan: "Representative, does this mean... or maybe you can explain to me exactly what it means. But does this mean that when my auto insurance is about to expire I will not get information from other companies soliciting my business at a better price?"

Mautino: "No. What this means is at the... you retain still ownership over all... as a consumer over all of your information. The agent, themselves, will still have the ability to utilize that. The company that's currently writing the policy would not be able to go over their own agent in this situation. It's the way that their contracts are currently structured now. There's no change in what they currently do. Most agents' contracts contain this provision, and this is just codifying it. Basically, showing that there's... who owns the business. There's no change. You can still be... change agents, you can still change... There's nothing that would stop you, as a consumer, for making those changes."

Mulligan: "My main question, though, is the expiration date... How is it available now? And I know that, normally, as my

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policy comes due, I start getting many letters from other companies just soliciting my business. I'm not quite sure what your Bill is going to keep from happening, and I missed a little bit of your answer the first time 'cause it's kinda noisy and you're in the crowd back there."

Mautino: "Yeah. I apologize for the noise level that's in here today. But in answer to that question, there's no change. You can still solicit other business. You'll still be receiving those. It's just putting into the statute what the current practice is now, on the ownership of the expirations."

Mulligan: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Mautino to close."

Mautino: "I'd appreciate an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 333?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 333, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 396, Representative Coulson. Representative Coulson. Beth Coulson. Out of the record. Senate Bill 400, Representative Mitchell. Out of the record. Senate Bill 401, Representative Brosnahan. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 401, a Bill for an Act to amend certain Acts in relation to mentally retarded persons. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker. Senate Bill 401 makes

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Amendments to the Criminal Code. The first thing this Bill does, in the definition of in references to the term 'institutionalized severely' or 'profoundly mentally retarded person', it deletes the references to the word 'institutionalization'. As we see more and more today, more children with disabilities are in community-based care and home-based care. That's why we feel there should not be a distinction. The following Sections it applies to: the child abduction statute, exploitation of a child, child pornography, aggravated battery of a child, aggravated criminal sexual abuse, as well as aggravated criminal sexual assault. The second provision of this Bill, which is very important, appears on page 24 of the Bill. It makes provisions concerning the testimony by a child victim also applicable to a victim who is moderately, severely, or profoundly mentally retarded. It allows testimony by a closed-circuit television. It also does... It limits the people that may be questioning the child and who may be in the room. And I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 401?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 401, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Osmond, the Gentleman from Lake."

Osmond: "Thank you, Mr. Speaker. On Senate Bill 333, I intended to vote 'yes'. I didn't get recorded. Thank you."

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Speaker Hartke: "The Journal will so reflect your desires to vote 'yes'. Senate Bill 433, Representative Mathias. Out of the record. Senate Bill 461, Representative Feigenholtz. Out of the record. Senate Bill 504, Representative Beaubien. Out of the record. Senate Bill 526, Representative Saviano. Representative Saviano. Out of the record. Senate Bill 527, Representative Saviano. Out of the record. Senate Bill 528, Representative Saviano. Out of the record. Senate Bill 571, Representative Novak. Out of the record. Senate Bill 574, Representative Tenhouse. Out of the record. Senate Bill 575, Representative Lyons. Joe Lyons. Out of the record. Senate Bill 602, Representative Mendoza. Out of the record. Senate Bill 608, Representative Franks. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 608, a Bill for an Act in relation to public aid. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Franks."

Franks: "Thank you, Mr. Speaker. Senate Bill 608 is similar to a Bill that we passed out of here in the House 102 to 0 with 13 'presents'. That was House Bill 3538 by Representative Granberg. And what it does is, it increases the Medicaid reimbursements for nursing homes. We have a real problem because the Medicaid reimbursement rates have been locked at 1994 levels. Many of the county nursing homes are losing money hand over fist or just hemorrhaging the money because the Medicaid reimbursement rates aren't anywhere near where they should be. So, this Bill brings it up to 1999 levels. There will be a fiscal impact of approximately \$80 million but half of that will be picked up by the Federal Government. I'd be glad to answer any questions."

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Speaker Hartke: "Is there any discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Representative, do you have any idea since you're carrying the Bill in the Senate maybe you have received correspondence. I'm trying to separate fact from rumor. Are you aware or the Senate Sponsor aware of any nursing homes that have gone out of business in Illinois in the last year?"

Franks: "Not that I'm aware of, personally. There may be, but I'm not sure."

Black: "I did have one in my district close a month ago through bankruptcy. I don't know that all of it was due to reimbursement, but they certainly said that was a major part of that. I would assume that you may have heard from nursing homes who are saying since the freeze is now what nine years?"

Franks: "Seven years."

Black: "Seven years. I guess, to make an informed vote, would it be fair to say that nursing homes have contacted those of you sponsoring this Bill, to say this matter has reached critical mass?"

Franks: "Absolutely. And it was the number one issue on our McHenry County Board's legislative agenda, as well as the northern part of the state. They were really pushing for this. There's approximately 30 counties, I believe, that have nursing homes and, I know, in our county, we're losing over \$500 thousand a year based on the poor reimbursement by the Medicaid."

Black: "I appreciate that. I have a county-owned nursing home in my home county of Vermilion, and I received a resolution

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from the Vermilion County Board indicating that this home has been in operation for more than 60 years. And without some relief, and it's a heavily Medicaid... In other words, I think 80% or more of their population are Medicaid patients, and they simply cannot continue to operate at the current level of reimbursement. The energy costs alone last winter made it very difficult for them... their cash flow. One of the things that that resolution mentioned was the two-tiered reimbursement rate. It appears... and I'm not an expert on this, forgive me, it appears that nursing homes in the northern part of the state get a higher reimbursement than nursing homes in the central or southern part of the state. Is that your understanding?"

Franks: "I'm not sure. What I've been hearing... And I have a resolution here from Ford County, which I just received, and they're saying that Illinois ranks 47th out of 50 states in Medicaid reimbursement. In the national average, Medicaid reimbursement rate is \$103 per day, but the average in Illinois is only \$81 per day. And that providers in states that border Illinois are paid 20... I'm sorry, 12 to 30% more than Illinois providers. So, I'm not sure the two-tier system, but I know that every county nursing home, as a result, is having huge deficits. Ford County tells me they have a deficit of \$358 thousand."

Black: "I think that's a good point. Staff just handed me a chart from the Department of Public Aid showing that a nursing home in the north suburbs would receive a \$98 reimbursement, a nursing home in my part of the state receives \$81. Now, if we address this problem, and I think at some point everybody on this floor knows we're gonna have to do that, maybe we can close that gap. And there are more than a two-tier, I see about seven or eight

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different rates depending on where the home is located. And obviously, costs may be higher in one part of the state than the other, but that sometimes is very hard to justify, certainly, to my county board members. So, I appreciate the fact that you're advancing the idea. I know it's expensive. It'll probably cover in the rest of the thermometer on the Senate side of the rotunda, but at some point we have to make decisions and prioritization of the budget and if we aren't going to take care of our most vulnerable citizens in the State of Illinois, which may, I say may, lead to more nursing homes closing then I don't know what the alternative and options are. I think this Bill needs to advance. The discussion needs to continue. We can't pretend that it isn't there, when rates have been frozen for seven years. So, hopefully... and everybody in State Government are people of goodwill. I believe they want to do what they know we have to do. It is an expensive position in the budget. There's no question about that. But I think it's one that most of us would be willing to say we have to pay because I don't know what the alternative is. If you tell me you're gonna turn these people out on the street, or find... have their children take them in... in many cases there are no children to take them in, I don't think that's going to work. I believe, without being overly dramatic, we have reached a crisis in Medicaid reimbursement rates for long-term care, and that crisis, I don't think, can be ignored another two or three years. I thank you for bringing the Bill. I intend to vote for it."

Franks: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Hamos. Would you please

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tone down your voices just a little bit. Shh. Shh. Thank you. Representative Hamos."

Hamos: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Hamos: "Representative Franks, what is the fiscal impact of this Bill?"

Franks: "The fiscal impact, Representative, is \$80 million. However, the Federal Government will pick up half that cost. So the net cost to the State of Illinois is just about \$40 million."

Hamos: "Well... Do you serve on any appropriations committees?"

Franks: "Yes, I do, on Public Safety."

Hamos: "And have you been asked, as we all have seemingly, to look at the current state of the budget and make reductions in order to fill a \$270 million hole in our budget, right now, in Medicaid? Have you been asked to do that, to look at the other line items?"

Franks: "Yes, we have. And we were working on that this morning."

Hamos: "And how... where in our budget are we going to find an \$80 million way to... What are we gonna cut to pay for this Bill?"

Franks: "It's a \$40 million cost, not an 80 million net cost. And I think, Representative, it's a question of priorities. When you have 65% of our patients, who are in nursing homes on Medicaid, and these counties that are getting hammered and not being able to provide these services, I think this is more important than bonding a Bears stadium. I think it's more important..."

Hamos: "Now, you know this has nothing, whatsoever..."

Franks: "...than giving a hundred million dollars to Duchossois."

Hamos: "...to do with bonding a Bears stadium. Okay?"

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Franks: "I think... We are talking about priorities. And when we're giving away \$24 million to big donors to build hotels that we're not collecting on, I think that's a problem and we should be collecting that. And we should be collecting those revenues that are outstanding to the State of Illinois. There is plenty of money in the budget to pay for things that are important. And I can't think of anything more important than helping those people that are most vulnerable."

Hamos: "Well, Mr... Representative Franks, can you tell me what this means in this Bill that says, 'that we will be using the cost reports this year', and then it says, 'and each subsequent year thereafter'? What does that mean?"

Franks: "I think it's self-explanatory. But, let me point out one other issue."

Hamos: "I'm sorry."

Franks: "When you're asking where we have the money..."

Hamos: "No..."

Franks: "...why do we find \$50 million after Representative Daniels gets up and says we're bringing Boeing here, but we can pay a hundred thousand dollars for each new employee for a company, but we can't help 56 thousand senior citizens?"

Hamos: "Okay. Thank you, Representative Franks, for answering that way. Can you please tell me what 'each subsequent year thereafter' means in this Bill?"

Franks: "It means each year we're gonna make a commitment."

Hamos: "So, is that an automatic rate increase every year from now on for nursing homes?"

Franks: "It's gonna be frozen based on the current 1999 assessments. What we're moving it up is from 1994 to 1999."

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Hamos: "But what does 'each subsequent year' mean?"

Franks: "Well, we'll at least be at the 1999 assessment for each subsequent year. If in the future we choose, as a Body, to increase that, we should do it. There's not a COLA here."

Hamos: "Well, it does say in each subsequent year the rates shall be computed using the most recent cost reports on file. Which means every year, from this point forward, nursing home rates will be increased."

Franks: "I think you're looking at House Bill 3538. This is Senate Bill 608."

Hamos: "Yeah. That's what I see on my..."

Franks: "That's the difference between 3538 and this Bill. This is on..."

Hamos: "I'm looking at Senate Bill 608. Is there a House Amendment that takes that out?"

Franks: "As I understand this is written, is that it is frozen at 1999 levels."

Hamos: "Okay."

Franks: "It has a \$19 million less fiscal impact than House Bill 3538."

Hamos: "Okay. Well... And I appreciate your correcting me if I was looking at a not current. But, Ladies and Gentlemen, this Bill is a Bill we've seen before. It's an important Bill. None of us are against nursing homes. Of course, we should be supporting not only nursing homes, but all human services in the State of Illinois. If you haven't heard from your own hospitals to tell you that there is an emergency, a crisis, in hospital Medicaid reimbursements, I'm sure you have because they've been coming around. You've probably heard from the human service providers in your districts who have told you that there is no money, zero, cost of living increase for any of the human services

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in your district. You've probably heard from your mental health services to tell you that not only are they not getting a COLA, but that we're not providing for basic community-based services that allow for... that would allow for deinstitutionalization from these very nursing homes that we are enhancing with a rate increase. Ladies and Gentlemen, we can't treat this piecemeal. It is so unfair to the local community providers back home. It is so unfair to single out one industry and only provide for that industry. I know this Bill is greased. We understand what happens when Leaders get behind an issue. We wish our Leaders would get behind the issue of hospital rate reimbursements, of mental health rate reimbursements, of developmentally disabled rate reimbursements, of human service rate reimbursements, of child care rate reimbursements. There are a lot of pressing needs in the state and we should be looking at them comprehensively. And that's why I ask you to vote 'present'."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I support... I rise in support of Representative Franks' legislation. And while I am a person who has been a frequent critic of nursing homes, and while the Mental Health Committee has, oftentimes, been called upon to talk about issues relating to nursing homes which sometimes cast them in not a positive light, the fact is that the nursing homes of Illinois do provide an important service to our state. Yes, we can talk about some abuses and, yes, we can talk about the fact that some of them have a lot of money, and we can talk about a lot of issues, but the fact is that nursing homes are not banks and they provide service to the

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citizens of our state and get paid taxpayer dollars for doing it. And they have been frozen at levels from many, many years ago. These levels do not sustain the quality of life and the kind of services that the residents of these nursing homes need. These frozen levels lead these nursing homes to having insufficient staff, certainly, insufficiently-trained staff. They cannot find the right people, the right services, the right equipment at the prices... at the costs we pay them to do the good work we ask them to do. And many times, in the Mental Health Committee, nursing homes in response to legislation that they have felt is onerous has said to us, you know, if you would unfreeze us, we could do a better job taking care of people. And while some may want to cast that as nursing homes trying to gouge taxpayers or nursing homes trying to get more to than they are entitled to, the fact is that thousands and thousands of Illinoisans live in these nursing homes and are not getting the kind of care they deserve because they are not living in places that have sufficient dollars to take care of their needs. I, just yesterday, spoke to a gentleman that runs one of these facilities and he's about to close it because he cannot live with the frozen rates. At his facility it will mean 143 Illinoisans who are now being taken care of at this home will now be out somewhere and we're gonna have to find a place for them. I don't know where we'll find a place for these people. And this is going to be commonplace if we don't unfreeze these rates. So yes, we have a big hole in the Medicaid budget. Yes, we have to figure out a way to fill it. But, saying no to this legislation is not a good idea. Saying no to this legislation sends a message that the people who are living in these nursing homes may,

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in some instances, receive substandard care, with substandard staff, insufficiently-trained staff, and this is not the way we ought to go about the business of making Illinois a healthy place to live. So, I would recommend that you join Representative Franks in an effort to pass this legislation. And we should all work together, cooperatively, to deal with the \$270 million hole in the Medicaid budget. Vote 'aye'."

Speaker Hartke: "The Chair recognizes Representative Erwin."

Erwin: "Thank you, Speaker. I rise to respectfully disagree with the past speaker. Representative Lang and the Sponsor of this Bill, I don't think anyone doubts that there may be a need in nursing homes around this state, but let me remind you, Ladies and Gentlemen, that there are many, many needs. All right, we know that downstate teachers, who were here yesterday, face in the neighborhood of a 70% increase in their health benefits. These are retired teachers who, if we can help them stay healthy, maybe they won't have to go into a nursing home. As Representative Hamos has ably pointed out, the very people we are trying to deinstitutionalize need assistance to live in their own homes, in their communities. I know the Economic and Fiscal Commission, just this week, confirmed that sales tax revenues are down by 120 million. We know that our hospitals that care for the poor in this state, and many who care for the very tragically ill, for instance, the children's hospitals in this state, like Children's Memorial in my district that cares for children in all of your districts, is 50% Medicaid. They have a huge need. Representative Franks, I would argue to you that no one is trying to one-up one human service need versus another. We have heard a strong argument for why we need to fund family

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care in this very chamber. I would respectfully suggest to all of my colleagues, that a 'present' vote is not a vote against the need in nursing homes, but it is... a 'present' vote can reflect the seriousness of this budget situation, and respectfully, acknowledge the other important needs in this state. So, if the Sponsor is not willing to hold this Bill, which I think, given the budget negotiations that we are going to be engaged with soon, the Sponsor, I believe, should hold this Bill. But if he does not, I would urge you to vote 'present'."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I am proud to join in supporting this Bill that is instituted in the Senate by Republican Members of the Senate and sent over here. And I just want to make sure that we don't misunderstand the importance of increasing Medicaid reimbursement rates based upon the most recently filed cost estimates. And I think that this is a part of the legislation that does need to be discussed. And I think that this will be part of our budget negotiations and I look forward to those. In the meantime, I do intend to support this legislation and join my colleagues, on the Republican side of the aisle in the Senate, on this side, to support this. Thank you very much."

Speaker Hartke: "The Chair recognizes Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. And to think everyone thinks this is a worthy cause, but I tend to agree, in somewhat, with some of the things that Representative Erwin said. Where's the template here for all the other needs, and when are we going to stop doing campaign pieces and start doing realistic budgets? I think cost of doing business,

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particularly, for agencies such as Catholic Charities and Lutheran Social Services has fallen by the wayside. And I'm assured by people from Lutheran Social Services, that after cutting 14 hundred different programs that they were doing, they're going to about... ready to go out of business. I think we need to be serious here about budgets and not campaign pieces. We do things here in order to say, well, we support this particular area. A lot support all of those areas. The thing is, we don't sit down and quality-assess programs that are out there that ought to be cancelled. We don't take a look at the general needs and divide them up. We certainly don't take a look at the cash cow and figure out, this is how far it's going and these are the people that need it the most. We have set the supplemental aside. We'll be lucky if we pass it right before the budget. Today, there is a group down here from the DD Community having a rally and we've been holding up their pay raises. I think Representative Erwin is very smart in what she's saying. I think a lot of us are tired of looking at just ceremonial Bills. We want to get down to the meat of it, and we really want to be part of this budget process of taking a look at spreading the money out. We'll all vote for this, or we'll vote 'present'. We don't want to look like we're against the elderly in our community, but that's not the point here. The point is a good solid budget that really addresses the needs, rather than lawsuits that force us to move forward. And a better way of doing the budgeting, and a better way of doing the Bills. A lot of this is just getting under the skin of a lot of the Representatives here. We feel this is not fair. This is not a good way to do business, and we'd like a better way."

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Speaker Hartke: "Representative Franks to close."

Franks: "Thank you, Mr. Speaker. I appreciate the thoughtful discussion we've had here, and I want to thank Representatives Black, Daniels, and Lang for speaking on behalf of this. And for Representatives Hamos, Mulligan, and Erwin, I appreciate your comments, as well. And believe me, we're as frustrated as you are when we can't get money to keep people out of nursing homes. We need to do that, as well. But we also have this problem that we have to address and we need to address it now. And this Bill, I'd like to point out to you, costs \$19 million less than a very similar Bill that we sent out of here before we went on spring break. So, I think this is fiscally responsible, something that is necessary. And I urge everyone to vote 'yes'."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 608?' All those in favor signify by voting 'yes'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 608, there are 107 Members voting 'yes', 0 voting 'no', and 6 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Moffitt. For what reason do you seek recognition?"

Moffitt: "Thank you, Mr. Speaker. I would just like the Journal to reflect that on Senate Bill 213, Senate Bill 2-1-3, that I... it shows me as not voting. I intended to vote 'yes'. My switch initially showed green and then went off. So, I'd like that to be a 'yes' vote."

Speaker Hartke: "The Journal will so reflect. The Chair recognizes Representative Berns."

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Berns: "Mr. Speaker, I rise for a point of personal privilege."

Speaker Hartke: "State your point."

Berns: "I'd like to introduce to the House, half of the members of the fourth grade class of St. Joseph, Illinois, in Champaign County. I want the House to particularly note that this class raised \$1,040.85 for the Abraham Lincoln Library and Museum here in Springfield."

Speaker Hartke: "Congratulations. Welcome to the Capitol. Senate Bill 627, Representative Daniels. Out of the record. Senate Bill 643, Representative Saviano. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 643, a Bill for an Act concerning criminal identification information. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 643 is a shell Bill. It was shelled in the committee. As you know, what we've been doing with the private security Bills is, anything that applies to Private Security Act or Private Detective Act, we have shelled because of some of the gun issues out there. If you wish, I'll send it over to the Senate. At this point, I don't know what the Chair's intention is for me to do with this."

Speaker Hartke: "Your call. You're the Sponsor."

Saviano: "Okay, we'll send it over."

Speaker Hartke: "Is there any discussion? The question is, 'Shall the House pass the shell Bill over to the Senate, Senate Bill 643?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 643, there are 72 Members voting 'yes', 41 Members voting 'no', and 1 Member voting

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'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 726, Representative Wait. Out of the record. Senate Bill 750, Representative Dart. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 750, a Bill for Act in relation to public health. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. Senate Bill 750 is a new Act. It creates the Halal Food Act. It's an effort to try to deal with some problems that have been going on around the state with the expansion of Islamic food with deception and some consumer fraud problems they've had. This is an attempt to get at that by making some changes so that individuals who make misrepresentations can be pursued under Deceptive Practice Act, and also, in some instances, can be a Class B misdemeanor. I would appreciate a favorable vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 750?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 750, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 761, Representative Burke. Representative Burke. Out of the record. Senate Bill 797, Representative Currie, Barbara Currie. Out of the record. Senate Bill 823, Representative Black. Out of the record. Mr. Clerk, read that Bill."

Clerk Rossi: "Senate Bill 823, a Bill for an Act in relation to

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driving under the influence of alcohol and drugs. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Is Representative Hoffman on the floor?"

Speaker Hartke: "No."

Black: "Representative Hoffman. We all right on this Bill, now?"

Speaker Hartke: "Yes."

Black: "All right."

Speaker Hartke: "Mr. Hoffman."

Hoffman: "I would love to accommodate you and vote in favor of this Bill. I can hardly wait. I've been waiting for like two weeks to vote in favor of this Bill."

Speaker Hartke: "Mr. Black, proceed."

Black: "Thank you very much. I wish you'd told me two weeks ago. Thank you very much, Mr. Speaker. Senate Bill 823 amends the Illinois Vehicle Code and the Unified Code of Corrections. It provides for increased penalties for repeat DUI offenders in Illinois. This is a Bill promulgated by the Illinois Department of Transportation. It's also a part of Governor Ryan's initiative to place Illinois in compliance with the Federal Transportation Equality Act for the 21st century. I'll be glad to answer any questions you have."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 823?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 823, there are 113 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a

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Constitutional Majority, is hereby declared passed. Senate Bill 797. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 797, a Bill for an Act concerning prizes and gifts. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is a measure aimed at making sure that people are not the victims of believing that they have won something worth winning, when in fact they haven't. You've all received those things in the mail that say, you are gonna be the winner of a new Chevrolet, or some other kind of jackpot and this measure, which is an initiative of the Cook County State's Attorneys Office... I believe he worked, as well, with the Illinois Attorney General, would clarify what kinds of pronouncements, along that line, are legal and which are not. I'd be happy to answer your questions, and would appreciate your support. As we know, senior citizens are particularly vulnerable to these kinds of mailings and there've been examples of people who've flown off to Florida thinking that they've won a condominium on the ocean, when in fact they haven't won a thing."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Representative, does this mean that Ed McMahon and Dick Clark are not gonna knock on my door and tell me I've won a million dollars?"

Currie: "Representative, when they knock on your door and tell you that, it will be true."

Black: "In other words, all this Bill really does is to eliminate

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those mailers that we all get at home saying, you may have already won a trip around the world or a new car if you'll send this back in, et cetera, et cetera, et cetera."

Currie: "Exactly."

"Black: "And there's always a fee involved."

Currie: "Yes, or you have to buy something or you have to..."

Black: "Okay. And so, if they say you have won a gift, then they're actually gonna have to what, send you the gift or enclose the gift in the letter?"

Currie: "That's right. That's right."

Black: "All right. And I think we're all aware... I think we've all read articles where some of our senior citizens, unfortunately, have sent in checks, literally, for their life savings, thinking they have won this huge prize, only to find that obviously they did not. I'm not sure we can ever protect people who don't exercise good common sense, but I think this is a reasonable Bill in response to scams that we have all read about. And I think it's time to start cracking down on an industry that obviously knows and has become very sophisticated on how to separate, particularly, seniors from their money. I congratulate you on the Bill. I urge an 'aye' vote."

Currie: "Thank you."

Speaker Hartke: "The Chair recognizes Representative Scully."

Scully: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Scully: "Representative, who would enforce these laws when violations are found?"

Currie: "I believe it could be the Attorney General or the local state's attorney."

Scully: "I noticed in Section 40, on page 5, line 23, also discusses the ability of the consumer to bring their own

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action to enforce their own rights."

Currie: "Right. You can bring a civil action, and there also then would be violations of the Consumer Fraud and Deceptive Business Practices Act."

Scully: "And to also recover, at least, \$500 or twice the dollar amount of their pecuniary loss..."

Currie: "Right."

Scully: "...plus attorneys' fees and costs."

Currie: "Right."

Scully: "Representative, I think this is an excellent piece of legislation, giving the Attorney General's Office, the State's Attorneys Office, and private individuals the ability to seek redress and to correct these frauds that are committed on our society. Thank you for bringing this legislation."

Currie: "Thank you."

Speaker Hartke: "The Chair recognizes Representative Mautino."

Mautino: "Thank you. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Mautino: "The sweepstakes that you're referring to, and we've had a lot of 'em that have been actually brought into the office where sometimes, a senior citizen will come in and think that they've won something. And would those then, after this Bill, be prohibited or are we gonna restructure it so they have to show exactly what has been won? In some of these cases it may be redeemable for a dollar, if you jump through hoops... but it says, you've won a car, or you've won something like that."

Currie: "Right."

Mautino: "What happens in that situation?"

Currie: "It's that that we're trying to get at. So that if they want to say, you may have won something, they can do that."

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They have to, at the same time, tell you what the odds that you are... or have become a winner would be. So, how many people are getting this mailing and what the odds are that any individual in that category, in fact, would be the winner. So, we're trying to narrow what they can say to you in a promotional material. This deals only, actually, with written statements, written promises. And what we're trying to do is to say, don't scam somebody into thinking that they have already been named a winner or that they will be a winner, when in fact they are not."

Mautino: "Thank you very much. And I do support your Bill."

Speaker Hartke: "Representative Currie to close."

Currie: "Thank you. I'd appreciate your support for this good Bill."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 797?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 797, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 853, Representative Moore. Andrea Moore. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 853, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Moore."

Moore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 853 is the provision that I took out of the record yesterday, because there was some question that needed to be answered. Representative Black did get his answer and we've agreed that it does not change the way

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people are taxed. This only clarifies the state's right under the existing law. And it is a Department of Revenue initiative. And I would ask for an 'aye' vote."

Speaker Hartke: "Representative Black."

Black: "Yeah. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I simply rise to thank the Lady for giving me the opportunity to talk to a major distribution firm in my district, also to talk with the Illinois Retail Merchants Association. You know, we often sometimes, don't do that around here. Sometimes, we don't give each other enough legislative courtesy. And I thought it was extremely courteous and kind of Representative Moore to take a Bill that she obviously could have passed, to give me an opportunity to make certain it didn't hurt an employer in my district. When you represent a district whose unemployment rate is always twice or higher the state average, you want to be very, very careful what you vote on that might have a negative impact on an employer in your district at home. The Lady's courtesy gave me a chance to make certain that this would not have a negative impact on this employer. I appreciate her courtesy and the Bill is as she purports it to be. And I intend to vote 'aye' for the Bill."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 853?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Fritchey, would you care to vote on this Bill. Representative Fritchey. Mr. Clerk, take the record. On Senate Bill 853, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this

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Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 875, Representative Meyer. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 875, a Bill for an Act concerning Assistant Adjutant General. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 875 was requested by the Department of Military Affairs. The men's Military Code of Illinois to delete a provision requiring that the Assistant Adjutant General for the Air National Guard to have been a rated Air Force aircrew officer. It simply opens up the pool of candidates to select from. All the rest of the requirements stand the same except that that person need not have been a rated aircrew officer."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Hoffman: "Yes, Representative, at whose request are we making this exemption?"

Meyer: "Again, the Air National Guard and the Department of Military Affairs, here in the state. It's a state position and they're simply asking that requirement be relieved so that they have a larger pool to pull from."

Hoffman: "Is there anybody, in particular, that they have in mind, currently, or is it just a general statement?"

Meyer: "I know of no one. No one's come forth in opposition to the Bill, heretofore, that I'm aware of. It passed out of the House with no... or excuse me... the Senate, with no dissenting votes. And during committee hearing, it had no

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one opposed to it."

Hoffman: "Well, I know... I remember when we changed, at one point, I thought... I guess we hadn't changed the Assistant Adjutant General. We had, I guess, made some other changes. I remember, over the years, a similar Bill being around here. Did it have anything to do with this issue? Do you recall that?"

Meyer: "I believe I recall the same Bill that you do, but it had nothing to do with this specific request. The previous Bill, as I recall, we passed and..."

Hoffman: "Right. I'm just trying... I'm trying to... My only concern is... and I really don't have any problem with the Bill, the only concern is, is if we just changed it a couple of years ago, and now we're coming back and changing it again, and sometimes, we do these things in order to fit the qualifications of a given individual. And I respect you, and I respect your statement that that is not the case. And having heard that, I have no problem voting 'yes'."

Speaker Hartke: "Representative Meyer to close."

Meyer: "I just ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 875?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 875, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 950, Representative Schmitz. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 950, a Bill for an Act concerning child

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support. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Schmitz."

Schmitz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 950 is kind of a rekindle of a Bill that we did two years ago regarding a child's most wanted site, the deadbeat parents that don't pay the child support to the custodial parent. I've got on my computer right now, the State of Washington site and this is where the idea came from a few years ago. When you omit your obligation to pay to your child, the amounts keep growing and growing. And what I have here in the State of Washington, they've got individuals that owe over \$40 some thousand in child support payments. And they've had some pretty good successes with putting these on a website. We'd like to establish one here in Illinois. We do have some checks and balances in the system. And I'd be happy to entertain any questions at this time."

Speaker Hartke: "The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I think the Sponsor is well-intentioned and I intend to vote for the Bill. I have no empathy with deadbeat parents. The only caveat that I want the Sponsor to understand, we did this before, it was an initiative of the Department. Those of you who have been here awhile will remember, I think it was ten years ago, maybe longer. We were going to do a deadbeat of the month or a deadbeat of the year. I can't remember. I don't know if the World Wide Web was up and running then. I think maybe we were gonna put their picture on a milk carton, I can't remember. And they had a big press conference. And they said, here's the worst deadbeat in the State of Illinois, can't find him, owes thousands of

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dollars. It's not a good situation. A reporter left that press conference, and 40 minutes after the press conference, he found this deadbeat parent who the Department of Public Aid said they'd been looking for for three years. So, my only caveat that I have on this Bill... and again, I have no empathy for those who make a conscious effort to avoid their parental responsibility. But I want this Body to know, if I'm here when this Bill goes into effect and they post a name of a deadbeat parent on that website who, in fact, is not a deadbeat... and let me tell you, on any given day, the Department can't tell you who's in arrearage and who is... the first mistake they make, I'm gonna be all over them like stink on a June bug. So, just let 'em know, they better get their database cleaned up because right now, they couldn't give you a list with any degree of accuracy on who owes money and who doesn't. And I think it's high time the Department gets its act together on child support. Our child support effort in the State of Illinois is an embarrassment. And I don't want to go through it anymore than I already have."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Morrow. Charles Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentleman yield?"

Speaker Hartke: "Gentleman will yield."

Morrow: "Representative Schmitz, after listening to Representative Black, I have some concerns about this legislation, also. What if the day before that this list was being put on the website, that the parent went into the courts, caught up on his arrears before 5:00 p.m. the previous day, will his name appear on the list the next morning?"

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Schmitz: "We put in here in the legislation under the Senate Amendment that the director has to provide a notice. And it also says, provides that an individual's name may not be disclosed if the arrearage is paid, a written agreement for payment exists, or the arrearage is subject of an administrative hearing, administrative review, or a judicial review."

Speaker Hartke: "Representative Morrow, have you completed your remarks?"

Morrow: "No, I haven't, Mr. Speaker. But now, what remedy... John, Representative Schmitz, what remedy does a person have in case his name is put on that list in error, causes him embarrassment, might cause his credit report to be affected? What protections are in the Bill for that? And what remedy would he have against the state if his name has been put on that list in error?"

Schmitz: "Representative, right now, the current list that the Department maintains is about a list of 200 individuals that are in severe arrears. These individuals know who they are, they know they're in arrearage. This isn't a list of where they're picking somebody up and they say, oop, we've got this new person today, he's in arrearage, he's gonna go on the website tomorrow. These are long-term individuals who have blatantly, blatantly..."

Morrow: "And I understand that. But I'm also concerned about the rights of those who remedy their situation, pay their child support, and for some reason, they're still inadvertently labeled a deadbeat. He would have the right to sue the State of Illinois for erroneously labeling him a deadbeat when he's paid his back child support. I see this Bill as opening up a Pandora box for lawsuits. And I'm not gonna say I'm voting against the Bill 'cause I'm against deadbeat

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parents, also. But I don't think a person should have his name put on a list if he's owned up to his responsibility. And because of some clerical mishap or oversight, his name is not erased off of the list. That's my concern. And if he paid the bill in a timely fashion, the previous business date, what guarantees does he have that his name is not gonna be on that list? Yeah, he was a deadbeat until May... what, this is what, May what, 11th, today's May 11th or May 10th?"

Schmitz: "Tenth."

Morrow: "May 10th. All right. He paid his arrearages May the 9th, is he a deadbeat May the 10th? No. He was a deadbeat 'til May the 9th. What guarantees, in this Bill, that he won't be called a deadbeat on May the 10th when he's paid his back support on May 9th?"

Schmitz: "Representative Morrow, you make some excellent points. And it's our feeling, it's mine, that the Section I just read to you out of the Bill is gonna take care of that. If there's any question at all that the individual has a letter sent back to them that says, I'm going to work out a payment plan... any question at all in this individual's case file, they are not to go onto this website. So, if you received a letter that says you're gonna be put on the website, you have 60 days to reply, you reply back, says, I want to work this out or I think there's a discrepancy in the number. You're not on it, you're out. You're in that other pile of individuals that are working on this Bill."

Morrow: "Well, what if I don't respond, but the day before I get put on this list, maybe I'm at the boat, I'm at the casino boat, or maybe my lottery ticket hits on May the 9th and I go in immediately and pay my arrearages. Am I still a deadbeat on May the 10th? That's what I'm concerned. I'm

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gonna get directly to the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Morrow: "This Bill, on its face, seems to be a Bill that everyone should vote on and pass without any problem. But I agree with Representative Black. If I find out that one of my constituents, who might have been a deadbeat and he's paid his child support and his name still shows up there and he calls me up and says, Representative Morrow, why is my name on that list? I'm not gonna have some problems with the Department of Public Health (sic-Aid), I'm gonna tell my constituent to get a lawyer and sue the State of Illinois because putting his name on that list erroneously is not only gonna cause him embarrassment... undue embarrassment... and maybe he still needs to be embarrassment (sic-embarrassed) for being behind in his child support... but this can cause a person's credit rating to be messed with and that's some of my concerns on the Bill. I'm gonna vote for the Bill. But I'm gonna watch Public Aid. And if any of my constituents show up on that list erroneously, I'm gonna tell... in fact, I'll probably even help 'em with their lawyer fees."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Bassi."

Bassi: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Bassi: "All right. I rise in strong support of this legislation. I have in front of me a copy from the website from Washington State that gives the number of individuals who are deadbeat parents. The amounts of money that they are in arrearage range anywhere from \$17 thousand to \$362 thousand. I think there is something to be said for putting this on the website. I think it will help

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substantially in making sure that kids have the support necessary. And one of the things all of us have been interested in doing is making sure that parents paid support for the children that they have. Thank you, Mr. Speaker."

Speaker Hartke: "The Chair recognizes Representative Johnson."

Johnson: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Johnson: "Tim, I really appreciate what you're trying to do here.

And I think the concept is right in terms of most wanted and stuff, but you know, a year or two ago, if you recall, we had this huge mess and hopefully, we're getting out of it, where the Department of Public Aid could not even match checks up with recipients and things were all botched up in the central office there in DuPage County. You know... And I'm trying to think if this Bill were in force when we had that tremendous screwup, how would this Bill have been impacted, how would this law have been impacted? Wouldn't we have put the Department of Public Aid on the website as the most deadbeat agency in the State of Illinois? Would it impact it, and what happens if we get into this mess again?"

Schmitz: "I don't have the crystal ball. This legislation is permissive for the Department of Public Aid. And we did pass the Floor Amendment yesterday that gave them another year to review this to make sure that the data is correct because I think we all have the same goal here. Garbage in, garbage out is not a program that we want to run on a computer system. But as I pointed out to Representative Morrow a minute ago, these aren't new individuals that we've been dealing with in the past 10 days or month or so, these are 200 hard-core individuals who have blatantly

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missed their payments to their custodial parent. I mean, this isn't anything new for the agency. These are people that they've been tracking down for years, that it's time to put 'em out here in another venue to help find these people."

Johnson: "I understand, Tim, but seriously, you know, we had a lot of parents, deadbeats supposedly, and others, who were sending all of their checks in as required that the Department of Public Aid could not match up. And we had 'em sitting in piles on desks in DuPage County and the people had paid. Now, say I'm a deadbeat father and I owe \$20 thousand and have for several years, and if I were in the middle of that fiasco and my check were sitting on that desk, whose screwup should it be? And then, I think Charles is absolutely right that we, in fact, would be opening ourselves up for some pretty horrendous liabilities there, so..."

Schmitz: "I guess that was more to the Bill than a direct... Can I guarantee that it's gonna be flawless? I don't think any of us can guarantee a program..."

Johnson: "Okay."

Schmitz: "...that's gonna be flawless."

Johnson: "Thank you."

Speaker Hartke: "Representative Bellock."

Bellock: "I would just like to make some comments on the Bill that..."

Speaker Hartke: "To the Bill."

Bellock: "Thank you. That... Serving on the Child Support Committee in DuPage County, we have gone a lot into depth on this. The collection rate in our county alone is only 12%. That is a despicable rate in the State of Illinois for collections. I support this Bill. I respect the

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comments from the other Representatives and I respect privacy of individuals, but I think that this Bill is directed to people who are extremely behind. The SDU debacle that happened last year was a very unusual thing, it has been straightened out. I don't think during that time period that they ever would have implemented this, even if this was in law, because everything stood at a standstill during that time. But as I read this Bill, it is 90 days in arrearage. They have to be sent a letter by certified mail that they have to bring their money up to date. And again, I remind you that child support is in such bad collection rate, 12% in my county, which is one of the better counties. So, I support this Bill. Thank you."

Speaker Hartke: "Representative Schmitz to close."

Schmitz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We brought up some good points in this debate and we heard some of these same things last year... or, I'm sorry, two years ago when we had a similar Bill like this. And we did pass it over to the Senate. This one made it out of the Senate, it's on its way back here. We send it out of here, we're gonna move it over to the Governor's desk. This Bill is sending a strong message to these deadbeats, pay your money up, the end. I've got an individual right now on my computer in the State of Washington, \$362,526. That's not a screwup folks. That's an individual that has blown off his obligations to his family. He's got two children, ages 13 and 9. This concept of this Bill came to me a few years ago after reading this website. And there was an individual, a young student, that was sitting at home surfing the Internet and he happened to come across this site and he looked at it and found one of the people on there and called his dad

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into the living room and said, 'Dad, doesn't this guy work for you?' All of sudden, they had a \$10 thousand person in his company that worked for him that somehow had slipped through the cracks. They were able to turn him in and get their money back. I think it's a good program. I think we put some measures into the Bill that'll help correct some of the problems that we think could happen. And I would urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 950?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 950, there are 104 Members voting 'yes', 0 voting 'no', and 9 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 965, Representative Forby. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 965, a Bill for an Act concerning wages. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Forby."

Forby: "Thank you, Mr. Speaker, Ladies and Gentlemen. 965 is a prevailing wage. It passed out of House committee. Amendment 1 changes prevailing wage to only posting requirements. New Bill requires contractors and subcontractors performing public works to post prevailing wage rates. In many instances, workers do not know the prevailing wage. This Bill will eliminate that problem. Illinois is among 5 of the 31 states with a Prevailing Wage Law that does not require posting rate sites. Workers should receive no less than the prevailing wage for any public project on which they are working. I'll answer any questions."

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Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, this Bill has no impact on the Prevailing Wage Law at all, correct?"

Forby: "Correct."

Black: "It simply requires that the prevailing wage rates be posted at a job site where the prevailing wage must be paid?"

Forby: "That is correct."

Black: "Does not require that to be posted on a general contractor's site where there is no prevailing wage provision?"

Forby: "Just where there's prevailing wages."

Black: "And it's my understanding, of the 50 states, 45 states have this posting requirement?"

Forby: "Thirty-one states has prevailing wages, so in five of us that don't have, so that'd be about twenty-six."

Black: "All right. So, just again to reiterate, this is not expanding the prevailing wage, it is not raising, lowering... it has nothing to do with the Prevailing Wage Law. It simply says, that on a job site where the prevailing wage is required to be paid by law, the contractor must post the prevailing wage schedule."

Forby: "Yes. And that just shows the workers on that job what they will be paid."

Black: "Okay. That's fine. Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 965?' All those in favor signify by voting

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'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 965, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1011, Representative Cross. Out of the record. Mr. Clerk, what is the status of Senate Bill 1039?"

Clerk Rossi: "Senate Bill 1039 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment. Senate Bill 1058, Representative Dart. Mr. Dart. Out of the record. Senate Bill 1102, Representative Ryder. Senate Bill 1135, Representative Turner, Art Turner. Out of the record. Mr. Clerk, what is the status of Senate Bill 1176?"

Clerk Rossi: "Senate Bill 1176 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment. Senate Bill 20. Mr. Clerk, what is the status of that Bill?"

Clerk Bolin: "Senate Bill 20 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment. Senate Bill 1180, Representative Lyons. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1180, a Bill for an Act concerning environmental protection. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. Senate Bill 1180 provides that construction to schools on remedial action sites in Cook County may begin when there is a remediation plan that's been approved. And the construction and the remediation may take place concurrently, so it does not hold up the construction of the school. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1180?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1180, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1190, Representative Ryder. Out of the record. Senate Bill 1304, Representative Mulligan. Out of the record. Senate Bill 1305, Representative Feigenholtz. Out of the record. Senate Bill 1505, Representative Mendoza. Susan (sic-Susana) Mendoza. Out of the record. Senate Bill 1506, Representative Fritchey. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1506, a Bill for an Act concerning sanitary sewers. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Fritchey."

Fritchey: "Thank you, Speaker. Senate Bill 1506 is a quality piece of legislation that says that any municipality in Cook County is required to take responsibility for any sanitary sewerage systems in any new territory which it annexes. This is being sought to address a situation where there was a failed sewerage system in a recently annexed subdivision in a community up in Cook County. I'd be happy

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to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1506?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1506, there are 109 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1521, Representative McKeon. Out of the record. Senate Bill 1522, Representative Mathias. Out of the record. Senate Bill 1505, Representative Mendoza. Representative Mendoza. 1505. Out of the record. On page 9, on Second Reading appears Senate Bill 10, Representative Madigan. Out of the record. Senate Bill 21, Representative Durkin. Representative Durkin, Senate Bill 21. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 21, a Bill for an Act concerning county sheriffs. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, Committee Report."

Clerk Bolin: "Representative Fritchey, Chairperson from the Committee on Consumer Protection, to which the following measure/s was/were referred, action taken on Thursday, May 10th, 2001, reported the same back with the following recommendation/s: 'be adopted Short Debate' Floor Amendment #2 to Senate Bill 42 and Floor Amendment #1 to Senate Bill 368. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on Thursday, May

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10th, 2001, reported the same back with the following recommendation/s: 'be adopted Short Debate' Floor Amendment #2 to House Bill 2603."

Speaker Hartke: "Senate Bill 28, Representative Brosnahan. Out of the record. Senate Bill 42, Representative Moffitt. Out of the record. Senate Bill 71, Representative Daniels. Out of the record. Senate Bill 75, Representative Hoffman. Out of the record. Senate Bill 76, Representative Rutherford. Representative Rutherford, Senate Bill 75 (sic-76). Would you like to move that Bill to Third? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 76, a Bill for an Act to amend Uniform Disposition of Unclaimed Property Act. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 78, Representative Turner, Art Turner. Out of the record. Senate Bill 95, Representative Mathias. Out of the record. Senate Bill 103, Representative Bost. Out of the record. Senate Bill 113, Representative Moore. Andrea Moore. Out of the record. Senate Bill 117, Representative Hamos. Out of the record. Senate Bill 118. Out of the record. Senate Bill 174, Representative Hoffman. Out of the record. Senate Bill 285, Representative Franks. Out of the record. Senate Bill 368, Representative Acevedo. You don't want to move that Bill to Third? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 368, a Bill for an Act concerning liability for a debit card use. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Acevedo, has been approved for consideration."

Speaker Hartke: "Representative Acevedo on Floor Amendment #1."

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Acevedo: "Mr. Speaker, from what I understand, that Amendment was passed in Consumer Protection this morning."

Speaker Hartke: "Yes, it's approved for consideration. Do you wish to adopt the Amendment?"

Acevedo: "Would you take it out of the record right now, Mr. Speaker, please?"

Speaker Hartke: "Sure. Out of the record. Senate Bill 371, Representative Daniels. Out of the record. Senate Bill 384, Representative Bost. Out of the record. Senate Bill 397, Representative Mathias. Out of the record. Senate Bill 430, Representative Kosel. Representative Kosel. Out of the record. Senate Bill 449, Representative Saviano. Out of the record. Senate Bill 489, Representative Dart. Out of the record. Senate Bill 518, Representative Hamos. Out of the record. 598, Representative Hassert. Out of the record. 616, Representative Beaubien. Out of the record. Senate Bill 629, Representative Dart. Out of the record. 699, Representative Hoffman. Out of the record. Senate Bill 713, Representative O'Brien. Representative, that's a shell Bill. Out of the record. Senate Bill 725, Representative Dart. Out of the record. Senate Bill 730, Representative Moore... Representative O'Brien, for what reason do you seek recognition?"

O'Brien: "Mr. Speaker, Senate Bill 713 is not a shell Bill, and I would seek to have it moved to Third Reading."

Speaker Hartke: "Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 713, a Bill for an Act in relation to taxes. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 730, Representative Moore. Representative Black, for what reason do you seek

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recognition?"

Black: "Inquiry of the Chair, Mr. Speaker."

Speaker Hartke: "State your inquiry."

Black: "I had filed an Amendment yesterday to Senate Bill 713. I had checked with Representative O'Brien. I just wondered if my Amendment was recommended by Rules, or is it still in Rules?"

Speaker Hartke: "Mr. Clerk."

Black: "I think mine was Floor Amendment #2."

Clerk Bolin: "Floor Amendment #2 has been referred to the Rules Committee."

Black: "Thank you."

Speaker Hartke: "Out of the record. Senate Bill 754, Representative Granberg. Out of the record. Senate Bill 789, Representative Dart. Out of the record. Senate Bill 846, Representative O'Connor. 846. Out of the record. Senate Bill 856, Representative Moore. Andrea Moore. Out of the record. Senate Bill 898, Representative Schoenberg. Representative Schoenberg. Out of the record. Senate Bill 899, Representative Crotty. Out of the record. Senate Bill 915, Representative Slone. Out of the record. Senate Bill 926, Representative Erwin. Out of the record. Senate Bill 368, Representative Acevedo. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 368. The Bill has been read a second time, previously, today. No Committee Amendments. Floor Amendment #1, offered by Representative Acevedo, has been approved for consideration."

Speaker Hartke: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move for adoption of Amendment #1. This Amendment was added due to some concerns of the Community

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Bankers. With this Amendment added, they would be in support of this legislation. And basically, it recognizes the increase of debit cards. And it also gives the same protection of debit card holders as it does for credit card holders. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 368?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 869. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 869, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 930, Representative Hoffman. Out of the record. Senate Bill 933, Representative Smith. Out of the record. Senate Bill 935, Representative Poe. Out of the record. Senate Bill 945. Out of the record. Senate Bill 975, Representative Meyer. Representative Meyer. Out of the record. Senate Bill 984, Representative Moffitt. Out of the record. Senate Bill 989, Representative Schoenberg. 989. Out of the record. Senate Bill 994, Representative Poe. Out of the record. Senate Bill 9... Excuse me. 1033, Representative Curry. Out of the record. Senate Bill 1128, Mr. Novak. Out of the record. Senate Bill 1262, Representative Johnson. Out of the record. Senate Bill 1177, Representative Moore. Out of the record. Senate Bill 1276, Representative

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Coulson. Beth Coulson. Out of the record. Senate Bill 1283, Representative May. Senate Bill 1284, Representative Wait. Senate Bill 1009... 1309, Representative Hoffman. Out of the record. Senate Bill 1329, Representative Parke. Out of the record. Senate Bill 1504, Representative Bellock. Out of the record. Out of the record. Page 22 on the Calendar, on Motions appears... the Motion relating to Senate Bill 172. Representative Hoffman."

Hoffman: "Yes, having voted on the prevailing side, I make a Motion to reconsider the vote by which Senate Bill 172 passed."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there any discussion? Seeing no discussion, the question is, 'Shall the Motion pass?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? All voted who wish? All voted who wish? All voted who wish? Mr. Clerk, take the record. On the Motion on Senate Bill 172 to reconsider, there are 84 Members voting 'yes', 26 Members voting 'no'. And the Motion prevails. Senate Bill 172, Representative Bellock. Mr. Clerk, read the Bill."

Clerk Bolin: "...Bill 172. The Bill has been read a third time, previously."

Speaker Hartke: "Representative Bellock."

Bellock: "Thank you, Mr. Speaker and Members of the House. Senate Bill 172 addresses concerns over the enforcement of the automated railroad crossing enforcement system. This offers more reasonable penalties for a first violation and stiffer penalties for a repeat offender. We discussed this Bill before it passed, by a large margin in the House, and now it's being reconsidered and the question was over the fines being reduced. I'd like to address that issue in

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that the fines were \$500 before for people... irresponsible people who put lives in danger by going around railroad crossings. This is a serious issue throughout the state. This Bill is meant to reduce the amount of lives that are lost on trains, and by people who are killed by irresponsible drivers going around railroad gate crossings. The other issue that was addressed in this Bill is that the video surveillance now when you are given a ticket by the police, you have the option of challenging that if you know another person was driving your car, and that you may have the police reissue the ticket to the person who was driving the car. It is a stiffer fine now for a repeat offender, from \$250 to \$500. And also, on a repeat offender, this does allow the Secretary of State to suspend the motor vehicle registration for the owner of that vehicle. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Hoffman."

Hoffman: "Yes, just for the point of clarification. To the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Hoffman: "The general concept of the Bill I don't necessarily have a problem with. However, just for the part, so people would know, that the fines are being reduced for going around these type of railroad crossings from 500 to \$250. I'm just making that point, so the people on our side of the aisle can make a decision on how to vote. Thank you, Mr. Speaker."

Speaker Hartke: "The Chair recognizes Mr. Lang."

Lang: "Thank you. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Lang: "Thank you. Representative, am I understanding this is a

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pilot program?"

Bellock: "Yes, it is."

Lang: "And how was it that this one particular site was chosen?"

Bellock: "Well, actually, Representative, three sites were chosen. This is... The Wood Dale-Irving Park Road crossing has the highest rates... one of the highest rates of deaths in the United States, not only in the State of Illinois. That's one particular... the Wood Dale crossing, but there also was Winfield which never got up and going, and there was Naperville which has been very successful. They have had a hundred percent enforcement rate and 75% reduction rate of people going around the crossings just since they got it up. Then we also had House Bill 123 to add Downers Grove to that at no cost to the state. That was earlier in the Session."

Lang: "And so, we're adding this one location to the existing locations?"

Bellock: "No, this was already included. But there's been a change because there was a constitutional challenge about the video surveillance and that issue was addressed now that there were objections that people that went over the picture that was taken, people objected if it was not them in the car. So now, what this Bill allows is that if you have an objection that was not you driving the vehicle around the railroad tracks, you may notify the local law enforcement agency and they will reissue the ticket to the person who was driving the car at the time. You will be notified that you can contest that challenge if you want to."

Lang: "So, you are told as the owner of the vehicle, we've got you doing this, here's the picture. And then you have to rat on your friend who borrowed your car?"

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Bellock: "You do not have to. You can absorb the penalty yourself."

Lang: "You could take the ticket..."

Bellock: "Right. Yes."

Lang: "...or you could tell them who was driving your car?"

Bellock: "Yes, right."

Lang: "Is it considered a moving violation?"

Bellock: "Yes."

Lang: "So, let me ask..."

Bellock: "I think so."

Lang: "...this as more of an overall question. If we have..."

Bellock: "I would think so, Representative. I'm not a lawyer, so I'm not really sure."

Lang: "All right. If we have these things in place already and there were... you say the one in Naperville is a 100% compliance rate, everything's..."

Bellock: "Enforcement."

Lang: "...working great. Right?"

Bellock: "Right."

Lang: "Why, instead of doing this and continuing the pilot program, why don't we just make it a statewide program?"

Bellock: "Well, because this is an expensive program to do this and so they wanted to make it a pilot program to see how it would work. The one in Naperville has been up for several months. Their statistics have just come in to show it to be so effective. But it is a pilot program because the three sites were chosen and it is costing state funds."

Lang: "Well, I understand that it's a pilot program and if we were... if you not here revisiting in it today, I would say, okay, we have a pilot program, et cetera, et cetera. But now you have a pilot program that you say works. It's working. It's doing great things. Why are we not

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expanding it to do something that will benefit all the citizens of our state?"

Bellock: "Well, I would be glad to address that issue in the next Legislature."

Lang: "That's fine. The question is, why aren't we addressing it now? Aren't we being shortsighted? I have no objection to what you're doing in your Bill. I'm simply saying to you, what's the point of doing one thing when we can do hundreds of things and make it work?"

Bellock: "I agree with you, Representative. That's just..."

Lang: "So, you want to take this out of the record and amend it?"

Bellock: "No, I don't want to take this out of the record. Because this Bill is to address the issue of getting the Wood Dale one back up in functioning. And also, the other issue was about the fines. Because law enforcement and the judicial system was having trouble with the \$500 fine and wanted it 250 for enforcement. That's what this Bill is about."

Lang: "Thank you. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Lang: "I'm gonna vote for this Bill. I expect everybody should and will vote for this Bill. But am I the only one in this Body who thinks we continue to do things piecemeal? Thank you. Am I the only one here who thinks that we just do little bits and pieces of public policy instead of addressing everyone that lives in the State of Illinois? Seems to me that when we have legislation like this, we're forgetting that there's 12.5 million people in the State of Illinois. Here's a model program that works. If it works, let's use it to make everyone in Illinois safe, not just three cities in Illinois."

Speaker Hartke: "Further discussion? The Chair recognizes

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Representative Fritchey."

Fritchey: "Thank you, Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Fritchey: "Representative, something you said caught my attention. You said that the prosecutors want to reduce the fee because of enforcement issues?"

Bellock: "The problem was the enforcement issue, and this is not just... In my area there is something called the DuPage Railroad Safety. It's a national group that brings in speakers. They were advocating that the law enforcement and the judges felt the \$500 fine was so high that they weren't giving it as much, so they feel and so does CAT, the Chicago Area Transportation group, feels that the \$250 fine is much more enforceable. They will give a lot more tickets. And that's why they were the ones that suggested this."

Fritchey: "I asked this question in all sincerity. Don't you see a logical breakdown here that you're saying that you're going to crack down on the offense by reducing the penalty?"

Bellock: "Not actually, because just the original fee went from 500 to 250. But the statistics have shown that a lot of this is repeat offenders, so they stiffen the fees for repeat offenders to 500, but also, which is much more stringent is the Secretary of State can now take away the motor... I'm sorry, the vehicle registration for that vehicle on a repeat offender, which is a much more strict violation."

Fritchey: "And bear with my unfamiliarity because this isn't an issue in my district per se. Under the present law... Under the present program, it would be a \$500 fine initially. And what are the repeat... what's the violation

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for repeat offense?"

Bellock: "It was \$500. It now would be 250, but on the repeat offense it would be 500."

Fritchey: "And what is it now, for a repeat?"

Bellock: "I'm not really sure on the repeat, right now. I think it's 500."

Fritchey: "Well, well, wait. If... I thought you said the initial, right now, is 500 and that would..."

Bellock: "It is, for the initial offense."

Fritchey: "And that would be reduced to 250."

Bellock: "Right."

Fritchey: "But, if the initial... for the initial offense, right now, if it's \$500, is it no higher for repeat offenses?"

Bellock: "No, it's no higher, and that provision does not exist about the Secretary of State being able to revoke their motor vehicle registration."

Fritchey: "Okay. Thank you."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, Representative Bellock to close."

Bellock: "I just want to thank you very much. And that this pilot program is extremely important to what Representative Lang said. Hopefully, we have the statistics in from Naperville. We want the statistics from Wood Dale and from the new program going up in Downers Grove. I think it will be beneficial to the entire State of Illinois to get irresponsible drivers from going around railroad gates and killing innocent people."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 172?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 172,

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there are 89 Members voting 'yes', 24 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On Second Reading appears Senate Bill 1097, Representative Meyer. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1097, a Bill for an Act in relation to minors. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 326, Representative May. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 326, a Bill for an Act relating to schools. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 28, Representative Brosnahan. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 28, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Brosnahan, has been approved for consideration."

Speaker Hartke: "Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 simply clears up a technical problem. We had a... the number of a line was miscorrec in the Committee Amendment #1. Floor Amendment #2 becomes the Bill. And I'd move for its adoption."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 28?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is

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adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 856. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 856, a Bill for an Act in relation to taxation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Ladies and Gentlemen, the Speaker would like to make an announcement about the schedule. We have canceled Monday. We will be in Session at 1:00 a.m. on Tuesday... 1:00 p.m., excuse me, 1:00 p.m. on Tuesday. Page 20 on the Calendar appears House Resolution 180, Representative Acevedo. Just a minute, Representative Acevedo, just a minute. For what reason does Representative Lyons seek recognition?"

Lyons, E.: "For an announcement please, Mr. Speaker. Despite the fact that we do not have Session on Monday, the Capital Capers rehearsal will still take place at 7:00 at the Hilton. Remember, Monday 7:00 at the Hilton. The last rehearsal for the show. Thank you."

Speaker Hartke: "Mr. Black, do you have an announcement? Can we wait 'til we finish this Resolution?"

Black: "No, Mr. Speaker. I... an inquiry of the Chair. I'm concerned about..."

Speaker Hartke: "State your inquiry."

Black: "I'm concerned about your health and welfare, when you don't know the difference between a.m. and p.m. I just... Mr. Speaker, if you would go down and go through the wellness clinic. The men's well... health wellness clinic is today. I'd like for you to go through that. And I'd like for you to get some rest over the weekend, if you

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would, please."

Speaker Hartke: "I will certainly try, Representative Black."

Black: "Thank you."

Speaker Hartke: "Thank you for caring for my health.

Representative Acevedo, now back to the Amendment."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 180 would declare March 31, 2001 and each March 31st to be the Cesar Chavez Day in the State of Illinois, in memory of the leader of the United Farm Workers."

Speaker Hartke: "Any discussion? The Chair recognizes Representative Bassi."

Bassi: "Oh no, sorry."

Speaker Hartke: "Would you like to discuss the Resolution?"

Bassi: "Sorry, Mr. Speaker. I wanted an inquiry of the Chair. I'll wait."

Speaker Hartke: "Okay. Is there any discussion on the House Resolution? You've heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 180 is adopted. Representative Bassi."

Bassi: "Thank you, Mr. Speaker. Inquiry of the Chair. Is there a reason why we're cancelling Monday and not possibly Saturday or Sunday of the following weekend?"

Speaker Hartke: "We'll get to that later."

Bassi: "Thank you, Mr. Speaker."

Speaker Hartke: "Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions. House Resolution 270, offered by Representative Cross; House Resolution 271, offered by Representative Cross; House Resolution 272, offered by Representative Krause; House Resolution 273, offered by Representative O'Brien; House Resolution 276, offered by

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Representative Hoffman; House Resolution 278, offered by Representative Younge; House Resolution 279, offered by Representative McAuliffe; House Resolution 280, offered by Representative Bill Mitchell; House Resolution 281, offered by Representative Black; House Resolution 282, offered by Representative Kosel; House Resolution 283, offered by Representative Johnson; House Resolution 285, offered by Representative Leitch; House Resolution 286, offered by Representative Schoenberg; House Resolution 287, offered by Representative Schoenberg; House Resolution 289, offered by Representative Granberg; House Resolution 290, offered by Representative Mautino; House Resolution 291, offered by Representative Persico; House Resolution 292, offered by Representative John Jones; and House Resolution 293, offered by Representative Poe."

Speaker Hartke: "You've heard the Agreed Resolutions. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolutions are adopted. Representative Granberg, would you like to call Senate Bill 153 on Third Reading? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 153, a Bill for an Act amending the Kaskaskia River Watershed and Basin Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 153 would merely allow the deployment of a draw of water from Carlyle Lake, which is in my district, in order to sell that to a regional water system. It was strictly a voluntary agreement. It would impact no other portion of the state. And I'd be more than happy to answer any questions."

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Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 153?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 153, there are 114 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1135, Representative Turner. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1135, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Turner."

Turner, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1135 is now a shell Bill. It's a Bill that deals with tax credits for low-income housing. An issue that passed out of the Senate with overwhelming support. One that I think we have overwhelming support in the House as well, but the Leadership has decided they want to use this Bill in conference in terms of negotiating what the bottom dollar figure will be allocated towards this program. And I just move for the adoption of Senate Bill 1135."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Moore."

Moore: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Moore: "Representative Turner, I just want to encourage you. You know, you could make a Motion to Table that Amendment that they put on your Bill in committee and then we could just send this thing right out of here, passed, because you've got yourself a very good Bill and I know you'd get a lot of

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support for that."

Turner, A.: "Representative, I appreciate your recommendations, but because the redistricting map has not been put before us, thus far..."

Moore: "Oh, yes, that's right. I forgot about that."

Turner, A.: "...there's a few variables that... But I've had a commitment on the part of the Leadership that they, too, believe that this is a good program and that they're going to try to fund it."

Moore: "Well, I..."

Turner, A.: "And we'll see how it goes."

Moore: "I encourage you. And I don't know if I've signed on to this, yet, but I'm coming down to the Clerk's to do that right now."

Turner, A.: "Okay."

Moore: "Thank you."

Turner, A.: "Thank you, Representative."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1135?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1135, there are 113 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 726, Representative Wait, Ron Wait. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 726, a Bill for an Act in relation to conservation. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Wait."

Wait: "Thank you, Ladies and Gentlemen of the House. This Bill

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deals with the Conservation Education Act, and all it does is we're gonna add a couple more groups to this committee. It would be DCCA, Nuclear Safety, and the Illinois... University of Illinois Cooperative Extension Service. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 726?' All those in favor will simply vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 726, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, the Adjournment Resolution."

Clerk Rossi: "House Joint Resolution #38 offered by Representative Barbara Currie."

HOUSE JOINT RESOLUTION 38

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Thursday, May 10, 2001, it stands adjourned until Tuesday, May 15, 2001 at 1:00 o'clock p.m.; and when the Senate adjourns on Friday, May 11, 2001 it stands adjourned until Monday, May 14, 2001."

Speaker Hartke: "All those in favor of the Resolution signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Once again, we've got a couple extra days off this weekend, folks. We'd like to have as many Members as we can stick around for a couple

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extra hours tonight, and come and root the House on against the Senate. We'll be playing at Lincoln Park, which is the same place we've played here for the last three or four years, up by the fairgrounds. And we'll be starting, as I said, about 5:00. There'll be food available. We will have food and drinks available and stay around for a couple hours, root the House on to victory. And then you can go home and spend four days at home. So, please, spend a couple hours and come out and root the House on against the Senate tonight. Thanks."

Speaker Hartke: "Representative Currie now moves that the House stand adjourned until Tuesday, 1:00 p.m., allowing perfunctory time for the Clerk. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction of Resolutions. House Joint Resolution 37, offered by Representative Hannig, is assigned to the Rules Committee. Introduction and First Reading of House Bills. House Bill 3624, offered by Representative O'Connor, a Bill for an Act concerning interest. First Reading of this House Bill. Committee Reports. Representative Morrow, Chairperson from the Committee on Appropriations-Public Safety, to which the following measure/s was/were referred, action taken on Thursday, May 10, 2001, reported the same back with the following recommendation/s: 'do pass as amended' House Bills 3498, 3499, 3500, 3502, 3503, 3504, 3506, 3507, 3508, 3509, 3510, 3511, 3512, 3513, 3514, 3515, 3516, 3517, 3518, 3519, 3520. Representative Lyons, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on Thursday, May 10, 2001, reported the same back with the

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following recommendation/s: 'do pass as amended Short Debate' Senate Bills 22, 1171. Representative Schoenberg, Chairperson from the Committee on Appropriations-General Services, to which the following measure/s was/were referred, action taken on Thursday, May 10, 2001, reported the same back with the following recommendation/s: 'do pass Standard Debate' House Bills 2326, 3405; 'do pass as amended Standard Debate' House Bills 3402, 3403, 3406, 3407, 3408, 3409, 3410, 3411, 3413, 3414, 3415, 3416, 3417, 3418, 3419, 3420, 3422, 3442, 3443, 3444, 3445, 3447, 3448, 3449, 3450, 3451, 3452, 3453, 3455 (sic-3454), 3455, 3470, 3474, 3475, 3476, 3477, 3480, 3481, 3482, 3484, 3485, 3487, 3488. There being no further business, the House Perfunctory Session will stand adjourned."